

**LAGOMARSINO LAW**

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*Attorneys for Plaintiff John Doe***UNITED STATES DISTRICT COURT****DISTRICT OF NEVADA**JOHN DOE, a minor, by and through JANE  
DOE, his natural mother and legal guardian;

Plaintiff,

vs.

COURTNEY BILLUPS, an individual; and  
CLARK COUNTY SCHOOL DISTRICT, a  
political subdivision of the State of Nevada;

Defendants.

CASE NO.: 2:23-cv-00334-APG-DJA

**STIPULATION AND ~~PROPOSED~~  
ORDER TO STAY DISCOVERY**

IT IS HEREBY STIPULATED AND AGREED between the parties, in accordance with LR 26-3, that discovery, and all associated deadlines, be stayed pending formal mediation. This Stipulation is supported by good cause, is the Parties' fifth request and not for the purpose of delay.

**I. DISCOVERY COMPLETED TO DATE**

The parties have completed the following discovery to date: exchanged their initial Rule 26 Disclosures and supplements thereto. Per the Court's requirements, the specific discovery conducted is delineated below:

- Plaintiff served a first set of requests for production, request for admission, and interrogatories to Defendant Billups and CCSD on May 3, 2023.
- On May 11, 2023, Plaintiff, Defendant Billups, and Defendant CCSD served their initial disclosures.
- Defendant Billups served his First Supplemental Disclosure on June 20, 2023
- Defendant Billups served his responses to Plaintiff's First set of requests for production, request for admission, and interrogatories on June 21, 2023.
- Defendant CCSD served its First Supplemental Disclosure on June 30, 2023.

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- Defendant CCSD served its responses to Plaintiff's first set of requests for production, request for admission, and interrogatories on July 3, 2023.
- Defendant CCSD served its Amended Initial and Amended First Supplemental Disclosures on August 22, 2023.
- Defendant CCSD served its first set of requests for production, and interrogatories to Plaintiff on August 22, 2023.
- Defendant CCSD served its Second Supplemental Disclosure on September 15, 2023.
- Defendant Courtney Billups's deposition took place on September 25, 2023.
- Plaintiff served his Second Supplemental Disclosure on September 25, 2023.
- Plaintiff served his response to Defendant CCSD's first set of requests for production and interrogatories on September 25, 2023.
- Plaintiff served a second set of requests for production and interrogatories to Defendant CCSD on October 4, 2023.
- Jane Doe's and Plaintiff's depositions were taken on October 11, 2023.
- Defendant CCSD served its Third Supplemental Disclosure on October 12, 2023.
- Defendant CCSD served responses to Plaintiff's second set of requests for production and interrogatories and its Fourth Supplemental Disclosure on October 20, 2023.
- Defendant CCSD took the deposition of Plaintiff's grandmother, Vanessa Anderson, on December 6, 2023.
- On January 2, 2024, Magistrate Judge Albrecht granted Defendant CCSD's Motion to Release FERPA Protected Student Information, allowing release of FERPA protected student information after notice to parents with opportunity for parent objection.
- Plaintiff served his Third Supplemental Disclosure on January 10, 2024.
- Defendant CCSD served its Fifth Supplemental Disclosure on February 1, 2024.

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## II. DISCOVERY YET TO BE COMPLETED

The Parties have yet to complete the following discovery:

- depositions of the named parties, including 30(b)(6) depositions;
- depositions of witnesses identified by the parties;
- expert witness disclosures;
- rebuttal expert witness disclosures;
- expert witness depositions;
- additional written discovery which may include written discovery between the parties;
- additional subpoenas to third parties; and
- record gathering in response to authorizations sought from Plaintiff

The Parties reserve the right to conduct additional discovery that is permitted by the United States Rules of Civil Procedure.

## III. LEGAL STANDARD AND REASONING

The Court has the inherent power to control its docket, including the discretion to stay proceedings. *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936). The determination of whether to stay proceedings is best determined by weighing the competing interests of the parties and the Court. *Id.* “Among those competing interests are the possible damage which may result from the granting of a stay, the hardship or inequity which a party may suffer in being required to go forward, and the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law which could be expected to result from a stay.” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir.2005).

Here, there is a general understanding of the potential for settlement, and all parties believe a good faith effort in settlement conference may achieve settlement. All parties would like to avoid incurring the expense of proceeding with the remaining discovery if it can be avoided through settlement. The parties' independent negotiations have failed but the parties believe a court settlement conference may be helpful to achieve a settlement agreement. This stipulation represents the shared

interests of the parties. Additionally, it would be beneficial to the Court and its docket if the parties are able to achieve a settlement agreement during the period of the stay. As such, the parties seek to stay discovery pending the completion of a court settlement conference.

DATED this 6<sup>th</sup> day of February, 2024.

**LAGOMARSINO LAW**

/s/ Taylor Jorgensen

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DATED this 6<sup>th</sup> day of February, 2024.

**MARQUIS AURBACH**

/s/ Jackie Nichols

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DATED this 6<sup>th</sup> day of February, 2024.

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STOBERSKI**

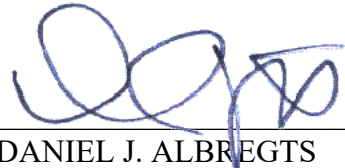
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**ORDER**

Based upon the foregoing Stipulation of the Parties, and for good cause appearing therefore, IT IS HEREBY ORDERED that discovery in this case, and all related deadlines, are STAYED pending the completion of a court settlement conference.

IT IS FURTHER ORDERED that, in the event the parties do not reach a settlement, they shall file a stipulation to extend discovery deadlines fourteen days after the unsuccessful settlement conference.



DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

DATED: February 7, 2024